

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

BYRON NELSON,  
ID #23021558,

Petitioner,

V.

MARION BROWN,

Respondent.

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No. 3:23-cv-2375-E-BN

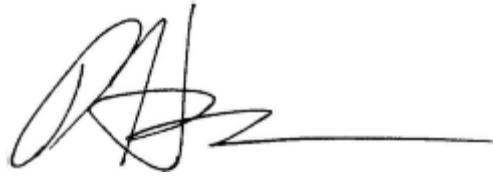
**ORDER**

On December 5, 2023, it was recommended that this action be dismissed without prejudice for failure to prosecute or comply with court orders, as provided by Federal Rule of Civil Procedure 41(b), because Petitioner Byron Nelson had failed to comply with the Court's order to file a completed form petition for relief under 28 U.S.C. § 2241, and to pay the \$5.00 filing fee or file a fully completed IFP application with a certificate of inmate trust account. *See* Dkt. No. 5. Because the petitioner has now complied with the Court's order, the undersigned VACATES the December 5, 2023 findings, conclusions, and recommendation.

And Petitioner's Application to Proceed In Forma Pauperis with certificate of inmate trust account, received on December 7, 2023, *see* Dkt. No. 9, is GRANTED. His duplicate Application to Proceed In Forma Pauperis with an incomplete certificate of inmate trust account, received on December 5, 2023, *see* Dkt. No. 7, is TERMINATED AS MOOT.

SO ORDERED.

DATED: December 13, 2023

A handwritten signature in black ink, consisting of a stylized 'D' and 'H' followed by a horizontal line.

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DAVID L. HORAN  
UNITED STATES MAGISTRATE JUDGE